



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
JUL 10 2003  
TECH CENTER 16331530

In re Application of:

Barry N. Kreiswirth et al.

Attorney Docket: 19124.0012

Application No.: 10/073,256

Art Unit: 1631

Filed: February 13, 2002

Examiner: C. Ly

For: SYSTEM AND METHOD FOR TRACKING AND CONTROLLING INFECTIONS

**INFORMATION DISCLOSURE STATEMENT**

Box IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants submit the documents listed on the attached Form PTO-1449 for consideration by the Examiner in charge of the above-identified patent application.

Applicants direct the Examiner's attention to related U.S. patent applications 09/861,761, filed May 22, 2001; and 09/656,084, filed September 6, 2000.

These documents are being submitted (check only one of the next four boxes):

- ☐ within three months of the filing of the above U.S. national application or of the date of entry of the U.S. national stage in an International Patent Application (no fee is due);
- ☒ before receiving a first Office Action on the merits of the above-identified patent application; or before receiving a first Office Action after filing of a Request for Continued Examination (no fee is due);
- ☐ following receipt of a first Office Action, but before issuance of a Final Office Action or a Notice of Allowance (if this box is checked, one of the last three boxes also must be checked);

OR

- ☐ following receipt of a Notice of Allowance or a Final Office Action (if this box is

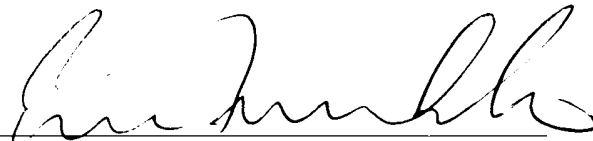
checked, the next box and one of the last two boxes also must be checked).

- ☐ The Commissioner is hereby authorized to charge Deposit Account 19-5127, in the amount of \$180.00 for payment of the fee set forth in 37 CFR § 1.17(p).
- ☐ The undersigned certifies that each item of this information is being submitted within three months of the date it was cited by a foreign patent office in a counterpart application.
- ☐ The undersigned certifies that, after making reasonable inquiry, he/she has no knowledge that any item of this information was cited by a foreign patent office in a counterpart application or was known more than three months prior to this submission.

The undersigned authorizes the Commissioner to charge fee deficiency and credit overpayment associated with this communication to Deposit Account No. 19-5127.

Respectfully submitted,

Date: July 1, 2003



Eric J. Franklin, Reg. No. 37,134  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007-5116  
Telephone: 202 424-7500  
Facsimile: 202 295-8478

**INFORMATION DISCLOSURE CITATION**

JUL 09 2003

PATENT &amp; TRADEMARK OFFICE

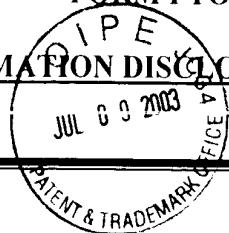
RECEIVED  
JUL 1 2003  
TECH CENTER 160005603

		Hernandez de Lencastre et al., "Testing the Efficacy of a Molecular Surveillance Network for Methicillin-Resistant Staphylococcus aureus (MRSA) and Vancomycin-Resistant Enterococcus faecium (VREF) Genotypes in Six Hospitals in the Metropolitan New York City Area", Microbial Drug Resistance, Volume 2, Number 3, 1996, pp. 344-351.
15		R. Durbin et al., "Biological Sequence Analysis", Probabilistic Models of Proteins and Nucleic Acids, 1998, pp. 17-19.
16		David Sankoff et al., "Time Warps, Sting Edits, and Macromolecules", The Theory and Practice of Sequence Comparison, CSLI Publications 1999, Chapter 2, Recognition of Patterns in Genetic Sequences, B. Erickson et al., pp.55-57.
17		Brian Spratt, "Multilocus Sequence Typing: Molecular Typing of Bacterial Pathogens in an Era of Rapid DNA Sequencing and the Internet", Microbiology 1999, 2, pp. 312-316.
18		Dan Gusfield, "Algorithms on Strings, Trees, and Sequences", 1999, pp. 215-219.
19		Hoe et al., Rapid Molecular Genetic Subtyping of Serotype M1 Group A Streptococcus Strains, Emerging Infectious Diseases, Vol. 5, No. 2, March-April 1999, pp. 254-263
20		A. Levitt, The US-EU Conference on Extension of the Salm/Enter-net Surveillance System for Human Salmonella and Escherichia coli O 157 Infections, Emerging Infectious Diseases, Vol. 4, No. 3, July-September 1998, pp. 502-503
21		J. O'Brien et al., DNA Fingerprints from Mycobacterium Tuberculosis Isolates of Patients Confined for Therapy Noncompliance Show Frequent Clustering, Chest Vol. 112, No. 2, August 1997, pp. 387-392
22		Griffiths et al., An Introduction to Genetic Analysis, WH Freeman & Co., 1999, pages 1-3,

Examiner	Date Considered
Examiner: Initial if reference consider, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Application	

**FORM PTO-1449**  
**INFORMATION DISCLOSURE CITATION**

Attorney Docket: Application No.:  
 19124.0012 10/073,256  
 Applicant: Examiner:  
 Kreiswirth et al. C. Ly  
 Filing Date: Group Art Unit:  
 February 13, 2002 1631



**RECEIVED**  
 JUL 10 2003  
 160012900

**U.S. PATENT DOCUMENTS**

Examiner Initial	Ref. No	Document Number	Date	Name	Class	Sub-Class	Filing Date
	1	5,396,227	03/07/1995	Carroll et al.			
	2	5,660,981	8/26/1997	Grosz et al.	435	6	6/6/1994
	3	5,691,136	11/25/1997	Lupski et al.	435	6	8/24/1993

**FOREIGN PATENT DOCUMENTS**

	Document Number	Date	Country	Class	Sub-Class	Translation Yes/No

**OTHER DOCUMENTS (Including Author, Title, Date, etc.)**

	4	European J. Clin. Microbiol. Infect. Dis., A. van Belkum et al. "Are Variable Repeats in the <i>spa</i> Gene Suitable Targets for Epidemiological Studies of Methicillin-Resistant <i>Staphylococcus aureus</i> Strains?", Letters, 1996, Vol. 15, pp. 768-770.
	5	European J. Clin. Microbiol. Infect. Dis., H.M.E. Frenay et al. "Molecular Typing of Methicillin-Resistant <i>Staphylococcus aureus</i> on the Basis of Protein A Gene Polymorphism", Article, 1996, Vol. 15, No. 1, pp. 60-64.
	6	European Respiratory J. M. Goyal et al., "Rapid detection of multidrug-resistant tuberculosis", 1997, Vol. 10, pp. 1120-1124.
	7	Proc. Natl. Acad. Sci., Martin C.J. Maiden et al., "Multilocus sequence typing: A portable approach to the identification of clones within populations of pathogenic microorganisms", March 1998, Vol. 95, pp. 3140-3145.
	8	Emerging Infectious Diseases, Robert J. Rubin et al., "The Economic Impact of <i>Staphylococcus aureus</i> Infection in New York City Hospitals", Jan-Feb 1999, Vol. 5, No. 1, pp. 9-17.
	9	Journal of Clinical Microbiology, B. Shopsy et al., "Evaluation of Protein A Gene Polymorphic Region DNA Sequencing for Typing of <i>Staphylococcus aureus</i> Strains", Nov. 1999, Vol. 37, No. 11, pp. 3556-3563.
	10	Website: <a href="http://cpsweb.cps.ca/english/statements/ID/id99-03.htm">http://cpsweb.cps.ca/english/statements/ID/id99-03.htm</a> , Infectious Diseases and Immunization committee, Canadian Paediatric Society (CPS), "Control of methicillin resistant <i>Staphylococcus aureus</i> in Canadian paediatric institutions is still a worthwhile goal", June 12, 2000, pp. 1-8.
	11	ENRIGHT ET AL. Multilocus Sequencing Typing. Trends in Microbio., December 1999, Vol. 7, No. 12, pages 482-487. See page 485, 1 <sup>st</sup> column, paragraphs 3-4; and see bridging paragraph of pages 485-486.
	12	GREISER-WILKE ET AL. Structure and Presentation of a World Wide Web Database of CSF Virus Isolates Held at the EU Reference Laboratory. Vet. Microbio., 2000, Vol. 73, pages 131-136. See abstract.
	13	RICHEL ET AL. Building Communication Networks: International Network for the Study and Prevention of Emerging Antimicrobial Resistance. Emerging Infect. Dis. March-April 2001, Vol. 7, No. 2, pages 319-322. See abstract.